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not be granted in case of every threatened trespass either to person or property. We see no reason to depart from the old and well established rule that an injunction will not lie to prevent a threatened trespass."

FOREIGN CORPORATIONS—FAILURE TO COMPLY WITH LAWS—EFFECT ON CONTRACTS.—Plaintiff, a foreign corporation, doing business in Utah, brought action to recover the value of merchandise sold and delivered. Defendant answered, alleging that plaintiff had not legal capacity to sue, because it had not filed a certified copy of articles of incorporation with the secretary of state, and had failed to designate an agent upon whom process might be served. *Held*, that contracts of a foreign corporation, made while doing business in the state, without complying with the laws of the state, respecting such corporations, are invalid, and cannot be enforced in the courts of this state by the corporation. *A. Booth & Co. v. Weigand* (1904), — Utah —, 79 Pac. Rep. 570.

In general the right of a state to exclude foreign corporations or to prevent a suit being maintained by them until the compliance with conditions precedent is well settled, provided that equal protection of the laws is not denied, nor the constitutional inhibition against interference with interstate commerce violated. See 3 MICHIGAN LAW REVIEW, 72, 239. But, as is indicated in the able dissenting opinion, such contracts ought not to be declared invalid unless the constitution or law has clearly so intended. Equity demands that a dishonest debtor should not be permitted to shield himself behind the law. The courts differ widely in their interpretation of such laws. Of course, where such contracts have been declared invalid by the law, no question can be raised. But usually it is not expressly declared that contracts made before complying with the conditions are void. For discussion of the different kinds of statutes and their effect see CLARK & MARSHALL ON PRIVATE CORPORATIONS, Sec. 847, 860; COOK ON CORPORATIONS, Sec. 697; MORAWETZ ON PRIV. CORPORATIONS, Sec. 661-665.

JUDICIAL OFFICER—LIABILITY OF INFERIOR JUDICIAL OFFICER ACTING UNDER A VOID LAW.—A private citizen presented to the defendant, Satterlee, a town magistrate, an information charging the plaintiff in this action with the breach of a town ordinance. Satterlee issued a warrant for plaintiff's arrest, but upon the hearing the ordinance, for the breach of which the warrant was issued, was declared to be void. The plaintiff brought this action against the magistrate and the complainant who filed the information, for damages for false imprisonment. *Held*, that defendants were not liable. *Gilbert v. Satterlee et al.*, (1905), — N. Y. —; 91 N. Y. Supp. 960.

It is a well settled rule of law that if a magistrate having special and limited jurisdiction acts without jurisdiction or in excess of his jurisdiction he is liable in damages to the party injured thereby. *Bigelow v. Stearnes*, 19 Johns. (N. Y.) 39; *Grumon v. Raymond*, 1 Conn. 39; *Piper v. Pearson*, 2 Gray, 120. The earlier decisions held this rule applicable to the case of a magistrate who acted under a statute which was later declared void, and such is perhaps the weight of authority at the present time. *Kelly v. Bemis*, 4